

## REMARKS

Claims 1-39 remain pending. In the present Office Action, claims 1-39 were rejected under 35 U.S.C. § 102(e) as being anticipated by Beadles et al., U.S. Patent Application Publication No. 2003/0037128 ("Beadles"). Applicants respectfully traverse this rejection and request reconsideration.

### Not Proven Prior Art

Applicants respectfully submit that the Office Action has not proven that Beadles is prior art. Beadles was filed on Aug. 13, 2002, which is AFTER the present application was filed. Beadles claims priority to a provisional application filed before the present application. For Beadles to qualify as prior art, the Office Action MUST PROVE: (1) that at least one claim in Beadles is supported by the provisional; AND (2) that the material being relied on in Beadles exists in the provisional. The Office Action has not proven these required elements, and thus Applicants submit that the rejection is improper. Since the Office Action cites broad swaths of Beadles to allegedly anticipate the claims, a fair amount of material must be identified in the provisional in order to prove that Beadles is prior art.

Nevertheless, since the subject matter of Beadles clearly fails to anticipate claims 1-39, Applicants illustrate why the claims distinguish below. However, should the next Action attempt to persist in using Beadles in a rejection, Applicants note that the required proof must be set forth in that Action.

### The Claims Distinguish

Applicants respectfully submit that claims 1-39 each recite combinations of features not taught or suggested in the cited art. For example, claim 1 recites a combination of features including: "a first node configured to participate in a simulation of a system under test, wherein the first node is configured to simulate a first component of the system under test; ...wherein, responsive to the hot pull command, the first node ceases participation in the simulation to simulate a removal of the first component from the system under test". Nothing in Beadles is even remotely related to the above features.

Beadles teaches a device plug-in system for configuring network devices over a public network. In general, Beadles is concerned with securely configuring actual, physical devices in a physical system connect to a physical public network, such as the internet. See, e.g., Beadles title and abstract. This has nothing to do with simulating a device under test, or a component of the system under test. Furthermore, this has nothing to do with ceasing participation in a simulation to simulate a removal of a component of the system under test.

Beadles does occasionally use similar words to words in various claims (e.g. plug, pull, simulator). However, a few matching words is insufficient to establish an anticipation rejection. When viewed in context, it becomes clear why Beadles has nothing to do with anything remotely related to the current claims.

For example, Beadles use of plug and pull has nothing to do with hot plug or hot plug of a device in a system. Rather, Beadles teaches the following with regard to plug (actually, plug-in) "The device plug-in framework is designed to support basic implementations. A single plug-in supports a push or a pull model for delivering policy to edge devices. The push model is driven by the Event Manager. The plug-in receives an event, fetches the policy, translates it into a format supported by the edge device and then delivers the policy to the edge device. The pull model is driven by the edge device. Edge devices which are not always accessible by the plug-in or need periodic updates will initiate the request for policy. In this case, the event comes from the edge device." (Beadles, paragraph 48). Thus, a plug-in is a software component that provides policy information to a real edge device, to help configure the edge device. Similarly, Beadles describes his pull model thusly: "In the pull model, the plug-in waits until the edge device requests policy. Before policy is fetched or transported to the edge device, the plug-in must authenticate the edge device with the Authentication Service. The authentication service will return information necessary to fetch the policy, if the edge device is authenticated. Once the policy is retrieved from the Policy Fetcher, the plug-in may need to parse the policy and translate it into a format supported by the edge device.

Once this optional parsing is complete, the policy will be transported to the edge device. Pull model device plug-ins are implemented using ASP and COM." (Beadles, paragraph 52). Thus, the pull model is one method of interaction between a software plug-in and a device.

Furthermore, Beadles describes a device simulator as follows: "In another embodiment, the invention provides a device simulator which simulates the command interface to devices controlled by the network management system. Thus, rather than simulating functionality, the interface itself is simulated. The simulator includes event storage and an event reporting system for receiving events from the network management system, storing events in the event storage and providing an event responses to the command interface after a simulated response time." (Beadles, paragraph 25) This broad description of receiving events and responding to events has nothing to do with simulating hot plug or hot pull of a device.

Beadles is devoid of any teaching of hot pulling a device from a system, let alone features such as "responsive to the hot pull command, the first node ceases participation in the simulation to *simulate a removal of the first component from the system under test*" as recited in claim 1.

For at least all of the above stated reasons, Applicants submit that claim 1 is patentable over the cited art. Claims 2-10, being dependent from claim 1, are similarly patentable over the cited art for at least the above stated reasons. Each of claims 2-10 recites additional combinations of features not taught or suggested in the cited art.

Claim 11 recites a combination of features including: "the first node configured ... to simulate a first component of a system under test in the simulation ... and ceasing participation of the first node in the simulation responsive to the hot pull command to simulate a removal of the first component from the system under test". The same teachings of Beadles highlighted above with regard to claim 1 are alleged to teach the above features of claim 11. Applicants respectfully submit that Beadles does not teach or

suggest the above highlighted features either. Accordingly, Applicants submit that claim 11 is patentable over the cited art. Claims 12-19, being dependent from claim 11, are similarly patentable over the cited art for at least the above stated reasons. Each of claims 12-19 recites additional combinations of features not taught or suggested in the cited art.

Claim 20 recites a combination of features including "first instructions which, when executed, cease participation in a simulation by a first node in a distributed simulation system responsive to receiving a hot pull command, the first node simulating a first component of a system under test, and the first node ceasing participation in the simulation simulates removal of the first component from the system under test". The same teachings of Beadles highlighted above with regard to claim 1 are alleged to teach the above features of claim 20. Applicants respectfully submit that Beadles does not teach or suggest the above highlighted features either. Accordingly, Applicants submit that claim 20 is patentable over the cited art. Claims 21-26, being dependent from claim 20, are similarly patentable over the cited art for at least the above stated reasons. Each of claims 21-26 recites additional combinations of features not taught or suggested in the cited art.

Claims 27-39 were rejected using the same teachings of Beadles highlighted above with regard to claims 1-26. Specifically, the Office Action alleges that claims 27-39 perform the steps in claims 1-20. Applicants respectfully submit that at least the independent claims 27 and 35 recite different combinations of features that the independent claims 1, 11, and 20. For example, claim 27 recites a combination of features including: "a second node configured to transmit a hot plug command designating the first node; wherein the first node does not participate in the simulation prior to the hot plug command, and wherein the first node begins participation in the simulation responsive to the hot plug command to simulate insertion of the first component in the system under test". Furthermore, Applicants respectfully submit that Beadles' teachings, highlighted above with regard to claim 1, do not teach or suggest the above highlighted features of claim 27.

For at least all of the above stated reasons, Applicants submit that claim 27 is patentable over the cited art. Claims 28-33, being dependent from claim 27, are similarly patentable over the cited art for at least the above stated reasons. Each of claims 28-33 recites additional combinations of features not taught or suggested in the cited art.

Claim 34 recites a combination of features including: "receiving a hot plug command designating a first node... and the first node beginning participation in the simulation responsive to the hot plug command to simulate insertion of the first component into the system under test". The same teachings of Beadles highlighted above with regard to claim 27 are alleged to teach the above features of claim 34. Applicants respectfully submit that Beadles does not teach or suggest the above highlighted features either. Accordingly, Applicants submit that claim 34 is patentable over the cited art. Claims 35-39, being dependent from claim 34, are similarly patentable over the cited art for at least the above stated reasons. Each of claims 35-39 recites additional combinations of features not taught or suggested in the cited art.

Applicants note that the Office Action lacks the specificity required for a rejection. For example, to allegedly anticipated the first phrase of claim 1 highlighted above, the Office Action cites, without comment, 45 full paragraphs of Beadles. Other phrases are similarly rejected with citations to enormous sections of Beadles, without comment. The MPEP and 37 C.F.R. clearly require more specificity in a rejection than that provided in the present Office Action. When references are long or complex, or it will not be clear which sections of the art the Office Action is relying on in a rejection, the Office Action must specify as nearly as practical the teachings that allegedly support the rejection (see, e.g., 37 C.F.R. § 1.104(c)(2) and MPEP 707). Surely, the Office Action can be more specific than a citation of 45 paragraphs for one phrase. Applicants respectfully request more specificity in the future.



### CONCLUSION

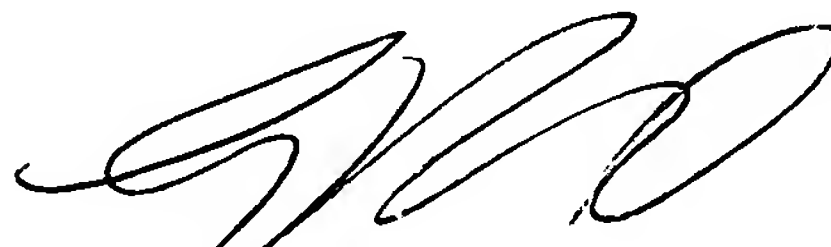
Applicants submit that the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-96500/LJM.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Request for Approval of Drawing Changes
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$  
for fees (        ).
- ☐ Other:

Respectfully submitted,



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